

AMENDED IN SENATE MAY 17, 2011  
AMENDED IN SENATE MARCH 23, 2011

**SENATE BILL**

**No. 416**

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**Introduced by Senator Kehoe**

February 16, 2011

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~~An act to amend Section 14771 of the Government Code, relating to state government forms. An act to add Chapter 5 (commencing with Section 103950) to Part 2 of Division 102 of the Health and Safety Code, related to health.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 416, as amended, Kehoe. ~~Statewide forms management: personal data.~~ *Health: survey.*

*Existing law creates the State Department of Public Health and requires it to carry out various duties related to public health programs. Existing law creates the State Department of Health Care Services and requires it to carry out various duties related to health purchasing programs.*

*This bill would require the State Department of Public Health and the State Department of Health Care Services to collaborate with the University of California, Los Angeles, to include specified information related to gender into the California Health Interview Survey.*

*This bill would require the State Department of Public Health and the State Department of Health Care Services to collaborate with the California state coordinator for the Behavioral Risk Factor Surveillance System to include specified information related to gender into the system.*

~~Existing law requires the Director of General Services, through the forms management center within the Department of General Services, to provide notice to state agencies, form management representatives,~~

and departmental forms coordinators that in the usual course of reviewing and revising all public-use forms that refer to or use the terms spouse, husband, wife, father, mother, marriage, or marital status, appropriate references to state-registered domestic partner, parent, or state-registered domestic partnership are to be included.

This bill would additionally require the director to provide notice to these individuals and entities that, in the usual course of reviewing and revising all surveys that collect demographic data and that are administered, or funded fully or in part, by the state, appropriate voluntary self-identification information shall be collected by the surveys pertaining to sexual orientation and gender identity and gender expression. It would specify that surveys that ask about marital status shall also ask about registered domestic partnership status and about the sex of the spouse or partner.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Chapter 5 (commencing with Section 103950) is  
2     added to Part 2 of Division 102 of the Health and Safety Code, to  
3     read:

4  
5                     CHAPTER 5. HEALTH CARE SURVEYS

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7     103950. (a) Notwithstanding any other provision of state law,  
8     and to the extent permitted by federal law, the State Department  
9     of Public Health and the State Department of Health Care Services  
10    shall, no later than January 1, 2013, collaborate with the  
11    University of California, Los Angeles, to include appropriate  
12    voluntary self-identification information pertaining to sexual  
13    orientation, gender identity, and gender expression into the  
14    questions asked by the California Health Interview Survey. If the  
15    survey includes any question about marital status, the State  
16    Department of Public Health and the State Department of Health  
17    Care Services shall also, no later than January 1, 2013, collaborate  
18    with the University of California, Los Angeles, to also include  
19    questions about registered domestic partnership status and about  
20    the gender of the spouse or partner into the California Health  
21    Interview Survey.

(b) Notwithstanding any other provision of state law, and to the extent permitted by federal law, the State Department of Public Health and the State Department of Health Care Services shall, no later than January 1, 2013, collaborate with the California state coordinator for the Behavioral Risk Factor Surveillance System to include appropriate voluntary self-identification information pertaining to sexual orientation, gender identity, and gender expression into the system. If the survey includes any question about marital status, the State Department of Public Health and the State Department of Health Care Services shall also, no later than January 1, 2013, collaborate with the California state coordinator for the Behavioral Risk Factor Surveillance System to also include questions about registered domestic partnership status and about the gender of the spouse or partner into the system.

~~SECTION 1. Section 14771 of the Government Code is amended to read:~~

~~14771. (a) The director, through the forms management center, shall do all of the following:~~

~~(1) Establish a State Forms Management Program for all state agencies, and provide assistance in establishing internal forms management capabilities.~~

~~(2) Study, develop, coordinate and initiate forms of interagency and common administrative usage, and establish basic state design and specification criteria to effect the standardization of public-use forms.~~

~~(3) Provide assistance to state agencies for economical forms design and forms artwork composition and establish and supervise control procedures to prevent the undue creation and reproduction of public-use forms.~~

~~(4) Provide assistance, training, and instruction in forms management techniques to state agencies, forms management representatives, and departmental forms coordinators, and provide direct administrative and forms management assistance to new state organizations as they are created.~~

~~(5) Maintain a central cross index of public-use forms to facilitate the standardization of these forms, to eliminate redundant forms, and to provide a central source of information on the usage and availability of forms.~~

1     ~~(6) Utilize appropriate procurement techniques to take advantage~~  
2     ~~of competitive bidding, consolidated orders, and contract~~  
3     ~~procurement of forms, and work directly with the Office of State~~  
4     ~~Publishing toward more efficient, economical and timely~~  
5     ~~procurement, receipt, storage, and distribution of state forms.~~

6     ~~(7) Coordinate the forms management program with the existing~~  
7     ~~state archives and records management program to ensure timely~~  
8     ~~disposition of outdated forms and related records.~~

9     ~~(8) Conduct periodic evaluations of the effectiveness of the~~  
10    ~~overall forms management program and the forms management~~  
11    ~~practices of the individual state agencies, and maintain records~~  
12    ~~which indicate net dollar savings which have been realized through~~  
13    ~~centralized forms management.~~

14    ~~(9) Develop and promulgate rules and standards to implement~~  
15    ~~the overall purposes of this section.~~

16    ~~(10) Create and maintain by July 1, 1986, a complete and~~  
17    ~~comprehensive inventory of public-use forms in current use by~~  
18    ~~the state.~~

19    ~~(11) Establish and maintain, by July 1, 1986, an index of all~~  
20    ~~public-use forms in current use by the state.~~

21    ~~(12) Assign, by January 1, 1987, a control number to all~~  
22    ~~public-use forms in current use by the state.~~

23    ~~(13) Establish a goal to reduce the existing burden of state~~  
24    ~~collections of public information by 30 percent by July 1, 1987,~~  
25    ~~and to reduce that burden by an additional 15 percent by July 1,~~  
26    ~~1988.~~

27    ~~(14) Notwithstanding any other provision of law, including, but~~  
28    ~~not limited to, Section 14774, provide notice to state agencies,~~  
29    ~~forms management representatives, and departmental forms~~  
30    ~~coordinators, that in the usual course of reviewing and revising all~~  
31    ~~public-use forms that refer to or use the terms spouse, husband,~~  
32    ~~wife, father, mother, marriage, or marital status, appropriate~~  
33    ~~references to state-registered domestic partner, parent, or~~  
34    ~~state-registered domestic partnership are to be included.~~

35    ~~(15) Notwithstanding any other provision of state law, including,~~  
36    ~~but not limited to, Section 14774, and to the extent permitted by~~  
37    ~~federal law, provide notice to state agencies, forms management~~  
38    ~~representatives, and departmental forms coordinators, that in the~~  
39    ~~usual course of reviewing and revising surveys that collect~~  
40    ~~demographic data and that are administered, or funded fully or in~~

1 ~~part, by the state, appropriate voluntary self-identification~~  
2 ~~information shall be collected by the surveys pertaining to sexual~~  
3 ~~orientation and gender identity and gender expression. Surveys~~  
4 ~~that ask about marital status shall also ask about registered domestic~~  
5 ~~partnership status and about the gender of the spouse or partner.~~

6 ~~(16) Delegate implementing authority to state agencies where~~  
7 ~~the delegation will result in the most timely and economical method~~  
8 ~~of accomplishing the responsibilities set forth in this section.~~

9 ~~The director, through the forms management center, may require~~  
10 ~~any agency to revise any public-use form which the director~~  
11 ~~determines is inefficient.~~

12 ~~(b) Due to the need for tax forms to be available to the public~~  
13 ~~on a timely basis, all tax forms, including returns, schedules,~~  
14 ~~notices, and instructions prepared by the Franchise Tax Board for~~  
15 ~~public use in connection with its administration of the Personal~~  
16 ~~Income Tax Law, Senior Citizens Property Tax Assistance and~~  
17 ~~Postponement Law, Bank and Corporation Tax Law, and the~~  
18 ~~Political Reform Act of 1974 and the State Board of Equalization's~~  
19 ~~administration of county assessment standards, state-assessed~~  
20 ~~property, timber tax, sales and use tax, hazardous substances tax,~~  
21 ~~alcoholic beverage tax, cigarette tax, motor vehicle fuel license~~  
22 ~~tax, use fuel tax, energy resources surcharge, emergency telephone~~  
23 ~~users surcharge, insurance tax, and universal telephone service tax~~  
24 ~~shall be exempt from subdivision (a), and, instead, each board~~  
25 ~~shall do all of the following:~~

26 ~~(1) Establish a goal to standardize, consolidate, simplify,~~  
27 ~~efficiently manage, and, where possible, reduce the number of tax~~  
28 ~~forms.~~

29 ~~(2) Create and maintain, by July 1, 1986, a complete and~~  
30 ~~comprehensive inventory of tax forms in current use by the board.~~

31 ~~(3) Establish and maintain, by July 1, 1986, an index of all tax~~  
32 ~~forms in current use by the board.~~

33 ~~(4) Report to the Legislature, by January 1, 1987, on its progress~~  
34 ~~to improve the effectiveness and efficiency of all tax forms.~~

35 ~~(e) The director, through the forms management center, shall~~  
36 ~~develop and maintain, by December 31, 1995, an ongoing master~~  
37 ~~inventory of all nontax reporting forms required of businesses by~~  
38 ~~state agencies, including a schedule for notifying each state agency~~

- 1 of the impending expiration of certain report review requirements
- 2 pursuant to subdivision (b) of Section 14775.

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